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Attorneys for Defendants:

Pritesh Patel, Ganpatbhai B. Patel, and Ocean Pacific Lodge, Inc.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

MARK BASQUEZ and CONNIE  
ARNOLD, individuals;

Plaintiffs,

vs.

PRITESH PATEL, GANPATBHAI B.  
PATEL, individuals doing business as  
OCEAN PACIFIC LODGE, and  
OCEAN PACIFIC LODGE, INC., a  
California company;

Defendants.

Case No. 5:17-cv-4819

**DEFENDANTS PRITISH PATEL,  
GANPATBHAI B. PATEL, AND  
OCEAN PACIFIC LODGE, INC.'S  
RULE 68 OFFER OF JUDGMENT**

Trial Date: None Set

TO PLAINTIFFS MARK BASQUEZ, CONNIE ARNOLD AND THEIR ATTORNEY  
OF RECORD:

1 Defendants Pritesh Patel, Ganpatbhai B. Patel, individuals doing business as  
2 Ocean Pacific Lodge, and Ocean Pacific Lodge, Inc., a California company  
3 (“Defendants”) hereby offer to allow entry of judgement to be taken against them  
4 pursuant to Rule 68 of the Federal Rules of Civil Procedure as follows:  
5

6 Judgement entered in the amount of \$14,000 in favor of Plaintiffs and against  
7 Defendants Pritesh Patel, Ganpatbhai B. Patel, and the Ocean Pacific Lodge, Inc., plus  
8 allowable costs, which may include allowable attorney’s fees, to be determined by the  
9 Court. Plaintiffs may apply to the Court for a determination of costs (including its  
10 allowable attorney fees) per code and rules of the Court.  
11

12 Additionally, said judgment shall include the following injunctive relief. A Court  
13 order that:  
14

15 Within 120 days of issuance of said order, Defendants shall:  
16

17 A) Modify Room 117 of the Ocean Pacific Lodge so it is in compliance with  
18 Title III of the Americans with Disabilities Act and its implementing  
19 regulations.  
20

21 B) Either modify Room 105 of the Ocean Pacific Lodge so it is in compliance  
22 with Title III of the Americans with Disabilities Act and its implementing  
23 regulations, or replace Room 105 with a different room at the Ocean Pacific  
24 Lodge that will be in compliance with Title III of the Americans with  
25 Disabilities Act and its implementing regulations.  
26  
27  
28

1 C) Add accessible seating to the breakfast dinning area in compliance with Title  
2 III of the Americans with Disabilities Act and its implementing regulations.  
3

4 This offer of judgment is made for the purposes specified in Federal Rules of  
5 Civil Procedure 68, and shall not be construed as either an admission that Defendants are  
6 liable in this action, or that Plaintiffs have suffered any damages. This offer of judgment  
7 is intended to resolve all of Plaintiffs' claims against Defendants in this action, including  
8 without limitation any and all claims for compensatory damages, statutory damages,  
9 attorney's fees, litigation expenses and costs of suit.  
10  
11

12 If Plaintiffs do not accept this offer, they may become obligated to pay  
13 Defendants' costs incurred after the making of this offer.  
14

15 To accept this offer, Plaintiffs must serve written notice of acceptance thereof  
16 within fourteen (14) days of the date of this offer being served.  
17

18  
19 DATED: September 26, 2017

The Karlin Law Firm LLP

20  
21 By: /s/ David E. Karlin  
22 David E. Karlin, Esq.  
23 Attorneys for Defendants  
24  
25  
26  
27  
28

**PROOF OF SERVICE**

**BASQUEZ vs. PATEL, et al**  
5:17-cv-04819

I, Lorena Salcedo, affirm and declare:

I am employed in the county aforesaid; I am over the age of eighteen and not a party to the within action; my business address is 13522 Newport Ave. Suite 201, Tustin CA 92780.

On September 27, 2017, I served the foregoing document described as:

**DEFENDANTS PRITISH PATEL, GANPATBHAI B. PATEL, AND OCEAN PACIFIC LODGE, INC.'S RULE 68 OFFER OF JUDGMENT**

In this action by placing a true copy thereof enclosed in a sealed envelope(s) addressed as follows:

Jeffrey A. Harrison  
Mariana S. Pantchenko  
Metz & Harrison LLP  
139 Richmond Street  
El Segundo, CA 90245  
Tel. (310) 648-8755

Attorney for Plaintiffs, MARK BASQUEZ and CONNIE ARNOLD, individuals

(X) I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Tustin, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed ordinary course cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

( ) I caused such envelope to be **HAND DELIVERED BY COURIER** to the offices of the addressee(s) indicated.

I declare under penalty of perjury under the laws of the State of California, that the foregoing is true and correct.

Executed this **27<sup>th</sup> day of September 2017** at Tustin, California.

/s/ Lorena Salcedo

LORENA SALCEDO